

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 06-14885

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT APRIL 14, 2008 THOMAS K. KAHN CLERK

D. C. Docket No. 05-20948-CR-JEM

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JI WU CHEN,
MEIHUA LI,

Defendants-Appellants.

Appeals from the United States District Court
for the Southern District of Florida

(April 14, 2008)

Before WILSON, COX, and BOWMAN,* Circuit Judges.

* Honorable Pasco M. Bowman II, United States Circuit Judge for the Eighth Circuit,
sitting by designation.

PER CURIAM:

Appellants Ji Wu Chen and Meihua Li were arrested pursuant to a Bureau of Immigration and Customs Enforcement investigation of the importation and trafficking of counterfeit goods by DC USA LLC, a Florida corporation operating in Miami. Chen was the corporation's secretary, and Li operated a flea market booth out of which counterfeit goods were sold. Chen and Li lived together in Miami.

After a jury trial, Chen and Li were convicted of conspiring to intentionally traffic in goods and use counterfeit marks in connection with the goods, in violation of 18 U.S.C. § 2320(a), and conspiring to fraudulently and knowingly receive, conceal, buy, and sell merchandise after illegal importation, in violation of 15 U.S.C. § 1124 and 18 U.S.C. § 545 (Count 1); knowingly using counterfeit marks that were indistinguishable from registered marks and were likely to deceive, in violation of 18 U.S.C. § 2320(a) (Count 2); and fraudulently and knowingly receiving, concealing, buying, and selling merchandise after illegal importation, in violation of 18 U.S.C. § 545 (Count 6).

Chen was sentenced to 60 months' imprisonment on Counts 1 and 6, and 97 months' imprisonment on Count 2, to run concurrently, with three years of supervised release. Li likewise received a 60-month sentence for Counts 1 and 6,

but received an 87-month sentence for Count 2, to run concurrently, followed by three years of supervised release. They were also ordered to forfeit the seized merchandise and pay \$27,498.31 in restitution.

On appeal, Chen and Li raise several arguments, none of which have any merit. We wish to comment, however, on the confidential informant whom the district court permitted to testify under a pseudonym. Specifically, it bothers us that the defendants were never given the witness's true name. Nevertheless, the defense knew that the government would be calling this witness and that the witness would be testifying under a pseudonym, and despite that knowledge, the defense never objected to the testimony. Thus, because Appellants raise this argument for the first time on appeal, our review is for plain error. *See United States v. Chau*, 426 F.3d 1318, 1321-22 (11th Cir. 2005) (per curiam).

Appellants have not shown that permitting the witness to testify under a pseudonym affected their substantial rights or otherwise prejudiced them. *See United States v. Olano*, 507 U.S. 725, 732, 113 S. Ct. 1770, 1776, 123 L. Ed. 2d 508 (1993). Accordingly, we hold that the district court did not plainly err.

AFFIRMED.